

**STORAGE NAME:** h1029.tr.doc  
**DATE:** March 25, 2001

**HOUSE OF REPRESENTATIVES  
COMMITTEE ON  
TRANSPORTATION  
ANALYSIS**

**BILL #:** HB 1029  
**RELATING TO:** Traffic Citations/Traffic Schools  
**SPONSOR(S):** Representative(s) Holloway

**TIED BILL(S):**

**ORIGINATING COMMITTEE(S)/COUNCIL(S)/COMMITTEE(S) OF REFERENCE:**

- (1) TRANSPORTATION
  - (2) CRIME PREVENTION, CORRECTIONS & SAFETY
  - (3) CRIMINAL JUSTICE APPROPRIATIONS
  - (4) COUNCIL FOR READY INFRASTRUCTURE
  - (5)
- 

I. SUMMARY:

HB 1029 revises the way in which drivers cited for traffic violations receive information on traffic schools by requiring that traffic enforcement officers provide a copy of the traffic school reference guide at the time the citation is issued. The content of the traffic school reference guide would be limited to a single mailing address and telephone number for each course provider.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- |                                   |                              |  |                              |
|-----------------------------------|------------------------------|--|------------------------------|
| 1. <u>Less Government</u>         | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | N/A <input type="checkbox"/> |
| 2. <u>Lower Taxes</u>             | Yes <input type="checkbox"/> | No <input type="checkbox"/>            | N/A <input type="checkbox"/> |
| 3. <u>Individual Freedom</u>      | Yes <input type="checkbox"/> | No <input type="checkbox"/>            | N/A <input type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/>            | N/A <input type="checkbox"/> |
| 5. <u>Family Empowerment</u>      | Yes <input type="checkbox"/> | No <input type="checkbox"/>            | N/A <input type="checkbox"/> |

For any principle that received a "no" above, please explain:

Less Government: State traffic enforcement officers would be required to issue a copy of the traffic school reference guide to drivers at the time a traffic citation is issued.

B. PRESENT SITUATION:

Any person charged with a moving or non-moving traffic violation that would result in points being assessed to the driving record, may choose to attend a driver improvement course. Attending a driver improvement course to satisfy the violation is entered on a driver's record as an "adjudication withheld." In addition, attending the course means that:

- No points are assessed against the driver's license.
- The civil penalty will be reduced by 18 percent.
- The insurance company cannot impose an additional premium or refuse to renew a policy for motor vehicle insurance solely because the insured committed a non-criminal traffic infraction.

All governmental entities and courts are prohibited from providing, issuing, or maintaining any information or orders regarding driver improvement schools or course providers. Instead, cited drivers who make an inquiry or request about driver improvement schools or course providers are statutorily required to be directed to the local telephone directory heading of driving instruction or the traffic school reference guide.

The Department of Highway Safety and Motor Vehicles (DHS&MV) is required to prepare a Traffic School Reference Guide that may be distributed by governmental entities. The information contained in the guide is restricted to the benefits of attending a driver improvement school, but cannot list course providers or schools.

C. EFFECT OF PROPOSED CHANGES:

State traffic enforcement officers would be required to issue a copy of the traffic school reference guide at the time a traffic citation is issued. The content of the traffic school reference guide would be limited to a single mailing address and telephone number for each course provider.

D. SECTION-BY-SECTION ANALYSIS:

N/A

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None

2. Expenditures:

The Department of Highway Safety and Motor Vehicles estimates the annual cost of printing the Traffic School Reference Guide for statewide use to be \$16,000. This is based on an estimate of 3.2 million citations per year and a 1/2cent cost for each guide issued.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None

D. FISCAL COMMENTS:

State and local law enforcement officers would be required to maintain sufficient copies of the reference guide to issue one with each citation. Although complying with this requirement will have a minimal impact, the bill will result in an increased administrative burden on law enforcement officers.

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

The bill does not require a city or county to spend funds or to take any action requiring the expenditure of any funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

The bill does not reduce the revenue raising authority of any city or county.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

The bill does not reduce the amount of state tax shared with any city or county.

**STORAGE NAME:** h1029.tr.doc

**DATE:** March 25, 2001

**PAGE:** 4

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

None

B. RULE-MAKING AUTHORITY:

None

C. OTHER COMMENTS:

While the title to this bill references road rage, neither statute amended deals with road rage. A title amendment is necessary to correct this technical deficiency.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

None

VII. SIGNATURES:

COMMITTEE ON TRANSPORTATION:

Prepared by:

Staff Director:

---

W. Timothy Weekley

---

Phillip B. Miller